

APR 30 2003 (WED)

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PTO/SB/20 (10-00)

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# **TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)  
59405

In re Application of: Elizabeth A. Amdt

Application No. 10/D84,312

Filed: July 1, 2002

For: Method and Composition Related to Low Glycemic Index Foods

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The owner, Conagra, Inc of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 158 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,503,555. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 158 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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10.00 DA

2. ☐ The undersigned is an attorney of record.

*Elizabeth A. Amdt*  
Signature

April 30, 2003

Date

Elizabeth A. Amdt

Typed or printed name

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Matter No.	
Applicant(s): Elizabeth A. Arndt			#59405	
Serial No.	Filing Date	Examiner	Group Art Unit	Confirmation No.
10/064,312	July 01, 2002	Tran Lien, Thuy	1761	6411
Invention: METHOD AND COMPOSITION RELATED TO LOW GLYCEMIC INDEX FOODS				
<p>I hereby certify that a Transmittal (2 pages, in duplicate); an Office Action Amendment and Response (10 pages); a Terminal Disclaimer; (1 page); a Certificate of Mailing by Express Mail (1 page); authorization to charge any additional fees which may be required to Deposit Account No. 50-1662; and a stamped, pre-addressed postcard are being mailed by U.S. Postal Service Express Mail to Addressee, to Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231, this _____ day of April, 2003.</p> <p style="text-align: center;">_____ Bill McCully (Typed or Printed Name of Person Mailing Correspondence)</p> <p style="text-align: center;">_____ (Signature of Person Mailing Correspondence)</p> <p style="text-align: center;">_____ EV 334812655 US (Express Mail Label No. )</p>				